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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,438	03/15/2004	J. Gilmore Childers	G08.129/U	3078

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BUCKLEY, MASCHOFF & TALWALKAR LLC
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EXAMINER

LIE, ANGELA M

ART UNIT	PAPER NUMBER
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2163

MAIL DATE	DELIVERY MODE
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10/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/801,438

Applicant(s)

CHILDERS ET AL.

Examiner

Angela M. Lie

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ryan et al (US 20040215793).**

As to claims 1, 5 and 10, Ryan discloses a computer-implemented method for managing risk through link analysis mapping, the method comprising: receiving into a memory of a computer system information descriptive of two or more persons (paragraph 262, wherein clearly the group or private network includes more than one user); generating in the computer system links associating two or more persons based upon the received information (paragraph 265 and paragraph 2), wherein the links indicate a relationship between the two or more persons (Figure 11); receiving into the

Art Unit: 2163

memory of the computer system an identifier identifying person; and generating in the computer system a link associating the identified person with one or more other persons (paragraph 313, wherein the user is an identified person and friends are other persons); and outputting an indication of the link associating the identified person with the one or more other persons (paragraphs 105 and 113) and an indication of one or more disconnects (paragraph 72 and paragraph 106, i.e. dotted line) between the identified person and the one or more other person (paragraphs 53, 103, 104 and 106) wherein the disconnect indicates a separation in time regarding the link associating the identified person with the one or more other persons (paragraph 106, wherein dotted line shows time separation between individuals, in other words, the user and other persons did not speak in a long time or never spoke, wherein both of those options are associated with time separation).

Note regarding claim 5, Ryan also teaches a computer server (Figure 1, element 2) accessible with a system access device via a communication network; and executable software stored on the server and executable on demand (software that allows the server to connect the user end with the website (10)).

As to claim 2, Ryan discloses the method comprising the step of receiving into the computer system an indication of a particular type of link to be analyzed (paragraph 129, based on the specified attributes/links possible candidates' profiles are analyzed in order to determine if they are a good match).

As to claims 3, 8 and 11, Ryan discloses the method comprising the step of indicating in the computer system a degree of separation between the identified person and the linked person (paragraph 275).

As to claims 4, 9, 12 and 14, Ryan discloses a method wherein the person comprises at least one of: an individual, a group, an organization, a corporation and a entity (paragraph 113).

As to claim 6, Ryan discloses a computerized system wherein the system access device comprises at least one of a computer and a personal digital assistant (Figure 1, elements 6 and 7).

As to claim 7, Ryan indirectly disclosed a computerized system wherein the communications network conforms to the transmission control protocol/internet protocol (Figure 1, element 4, wherein internet has internet protocol in order to be able to transfer data between nodes).

As to claim 13, Ryan discloses a method of interacting with a network access device so as to manage risk, the method comprising the steps of: transmitting from the network access device a description of a person (Figure 1 and paragraph 262, wherein clearly the group or private network includes more than one user); transmitting from the network access device an indication of a degree of separation for which links to the person are desired (paragraph 275); receiving at the network access device an indication of links to one or more other person (paragraph 265 and paragraph 2); receiving at the network access device a description of each link (paragraphs 51 and 66).

Response to Arguments

4. Applicant's arguments filed February 6, 2007 have been fully considered but they are not persuasive.

5. With respect to the applicant's assertion on page 8, third paragraph, alleging that Ryan does not teach outputting of an indication of one or more disconnects between the identified person and the one or more other persons, the examiner disagrees. Ryan teaches that the disconnects between a person and entity as well other persons can exist (paragraph 72). Furthermore, Ryan also teaches outputting those information (paragraph 102).

6. As to the second argument also on page 8, third paragraph, stating that Ryan fails to disclose a disconnect between one identified person and other person(s) where link associating the persons indicates a separation in time with respect to the link, the examiner disagrees. As clearly indicated in the rejection of claims 1, 5 and 10, dotted line which could also be considered a disconnect (since two individuals are not in contact (not a solid line)), is an indication associated with time as described in the rejection above and therefore not repeated.

The Prior Art

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Gordon (US Publication 20030078976) discloses a method and apparatus for linking users' profiles based on the specified attributes.


- De l'Etraz et al (US Patent No. 6073138) disclose a system and method for providing relational patterns between entities.

Inquiry

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela M. Lie whose telephone number is 571-272-8445. The examiner can normally be reached on M-F.
9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Angela M Lie

9/30/07

Hung Vy
For SPE Don Wong